

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL ACTION NO. 1:09-cr-00017-GCM-WCM**

**USA**

**v.**

**ALBERT CHARLES BURGESS,**

**Defendant.**

**ORDER**

This matter is before the Court upon the government’s Motion to Seal Exhibit 1 to its response to Defendant’s Motion for Compassionate Release. (Doc. No. 441).

When a party makes a request to seal judicial records, the Court must (1) give the public notice and a reasonable opportunity to challenge the request to seal; (2) “consider less drastic alternatives to sealing;” and (3) if it decides to seal, make specific findings and state the reasons for its decision to seal rather than choosing other alternatives. *Virginia Dep’t of State Police v. Washington Post*, 386 F.3d 567, 576 (4th Cir. 2004). In accordance with the law of this Circuit as well as the Local Rules, the Court has considered the Motion to Seal, the public’s interest in access to such materials, and alternatives to sealing. The public has been provided with adequate notice and an opportunity to object to the government’s motion. The government filed its motion on July 10, 2024, and it has been accessible to the public through the Court’s electronic case filing system since that time. The Court determines that no less restrictive means other than sealing is sufficient because a public filing of such materials would reveal sensitive medical information. The Court concludes that the sealing of this document is narrowly tailored to serve the interest of protecting the confidential information.

IT IS THEREFORE ORDERED that the Motion to Seal is hereby GRANTED, and the following documents and materials shall be filed under seal until further Order of this Court:

Docket Number 442.

Signed: July 18, 2024

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

